
Environmental Register

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The Environmental Register is a Publication of the Illinois Pollution Control Board

Thomas Holbrook, Chairman

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Letter from the Chairman

During April, the Board acted in several rulemaking dockets, and I've summarized that activity below. As always, information about these rulemakings is available through the Clerk's Office Online (COOL) at our Web site at www.ipcb.state.il.us.

On April 6, 2012, in Proposed Amendments to Nonhazardous Special Waste Hauling and the Uniform Program (35 Ill. Adm. Code 809) (R12-13), the Board's first-notice proposal adopted on March 15, 2012, appeared in the *Illinois Register*. See 36 Ill. Reg. 5095 (Apr. 6, 2012). The proposal seeks to implement Public Act 97-220, which amends the Environmental Protection Act (Act) to remove Illinois from the federal Uniform State Hazardous Materials Transportation Registration and Permit Program.

On April 13, 2012, in Triennial Review of Water Quality Standards for Boron, Fluoride and Manganese: Amendments to 35 Ill. Adm. Code 301.106, 302.Subparts B, C, E, F and 303.312 (R11-18), the Board's first-notice proposal adopted on March 15, 2012, appeared in the *Illinois Register*. See 36 Ill. Reg. 5713 (Apr. 13, 2012).

On April 17, 2012, in Standards and Limitations for Organic Material Emissions for Area Sources; Amendments to 35 Ill. Adm. Code Part 223 (R12-8), the Joint Committee on Administrative Rules issued its certificate of no objection to the Board's second-notice proposal adopted on March 15, 2012. The proposal seeks to reduce emissions of volatile organic material (VOM) from various consumer and commercial products and aerosol coatings.

On April 19, 2012, in Tiered Approach to Corrective Action Objectives (TACO) (Indoor Inhalation): Amendments to 35 Ill. Adm. Code 742 (R11-9), the Board adopted a first-notice opinion and order proposing a new exposure route under TACO: indoor inhalation. To protect building occupants, this exposure route addresses the potential for vapors to migrate into buildings from underlying volatile chemicals in soil or groundwater.

On April 19, 2012, in Safe Drinking Water Act Update, USEPA Amendments (January 1, 2011 through June 30, 2011) (R12-4), the Board adopted drinking water regulations identical-in-substance to those adopted by the United States Environmental Protection Agency (USEPA).

On April 19, 2012, in RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (January 1, 2011 through June 30, 2011) (R12-7), the Board adopted hazardous waste regulations identical-in-substance to those adopted by USEPA.

On April 19, 2012, in Procedural Rules for Review of Petitions for Temporary Landfill Ban Waivers Under Section 95 of the Electronic Products Recycling and Reuse Act: New 35 Ill. Adm. Code 106, Subpart J (R12-21), the Board adopted a second-notice opinion and order proposing new procedural rules applicable to petitions for a temporary waiver of the covered electronic device (CED) landfill ban under Section 95 of the Electronic Products Recycling and Reuse Act (EPRRA). See 36 Ill. Reg. 2469 (Feb. 17, 2012).

On April 19, 2012, in Updates to the Definition of "Pollution Control Facility" at Section 101.202 of the Board's Procedural Rules to Reflect Recent Public Acts (R12-22), the Board adopted a second-notice opinion and order proposing amendments to the definition of "pollution control facility" in its procedural rules to make the definition consistent with recent Public Acts amending the statutory definition. See 36 Ill. Reg. 2444 (Feb. 17, 2012).

On April 19, 2012, in Gasoline Volatility Standards and Motor Vehicle Refinishing; Proposed Amendments to 35 Ill. Adm. Code Parts 211, 215, 218, and 219 (R12-24), the Board accepted for hearing the Agency's rulemaking proposal filed on April 2, 2012.

Please visit our website (www.ipcb.state.il.us) for more information on the rulemakings described above, as well as information on our docket of contested cases.



Sincerely,

A handwritten signature in dark ink that reads "Thomas Holbrook". The signature is written in a cursive style with a large, sweeping initial "T".

Thomas Holbrook
Chairman

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Rulemaking Update

Board Adopted First-Notice Proposal to Add Indoor Inhalation Pathway to the Tiered Approach to Corrective Action Objectives (TACO) Rules, R11-9

The Board, on April 19, 2012, adopted a first-notice opinion and order in the rulemaking docketed as Tiered Approach to Corrective Action Objectives (TACO) (Indoor Inhalation): Amendments to 35 Ill. Adm. Code 742, R11-9. On November 9, 2010, the Illinois Environmental Protection Agency (IEPA) filed the proposal to amend the Board's TACO rules. The Board held two public hearings in this rulemaking: one in Springfield and the other in Chicago. At first notice, the Board adopted the amendments proposed or agreed to by IEPA, with minor clarifying changes as explained below.

In its first notice opinion and order analyzing the hearing testimony and public comment received, the Board stated that, since 1997, the TACO rules have provided procedures for developing remediation objectives based upon risks posed to human health by environmental conditions at a variety of sites. The first-notice amendments include the addition of a new exposure route under TACO: the indoor inhalation exposure route. To protect building occupants, this exposure route addresses the potential for vapors to migrate into buildings from underlying volatile chemicals in soil or groundwater, a process commonly known as "vapor intrusion" or "VI."

The Board also proposed adding 13 chemicals to the TACO tables based upon the Board's pending rulemaking on groundwater quality standards, Proposed Amendments to Groundwater Quality Standards (35 Ill. Adm. Code 620), R08-18. Further, the first-notice amendments to TACO update physical and chemical parameters and revise toxicity values in accordance with the new United States Environmental Protection Agency hierarchy for selecting human health toxicity values.

In addition, the Board proposes requiring that IEPA be notified if an indoor inhalation building control technology at a school is rendered inoperable. Finally, the amendments to TACO will become effective on a date certain 60 days after their final adoption.

Publication of the proposed first-notice amendments in the *Illinois Register* will begin a 45-day public comment period, during which anyone may file a public comment with the Board. The Board encourages persons to file public comments on these proposed amendments. The docket number for this rulemaking, R11-9, should be indicated on the public comment.

Public comments must be filed with the Clerk of the Board. Public comments may be filed at the following address: Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601.

In addition, public comments may be filed electronically through COOL at www.ipcb.state.il.us. Any questions about electronic filing through COOL should be directed to the Clerk's Office at (312) 814-3629.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk's office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6].

For more information, contact Richard McGill at (312)-814-6983 or email at mcgillr@ipcb.state.il.us.

Board Adopts Rules Identical in Substance Rules in In the Matter of SDWA Update, USEPA Amendments (January 1, 2011 through June 30, 2012), R12-4

The Board, on April 19, 2012, adopted amendments to the Illinois regulations that are "identical in substance" to drinking water regulations adopted by the United States Environmental Protection Agency (USEPA). The rulemaking is docketed as In the Matter of SDWA Update, USEPA Amendments (January 1, 2011 through June 30, 2011), R12-4.

A single USEPA action occurred in the identical-in-substance update period of January 1, 2011 through June 30, 2011. That USEPA action was the June 24, 2011 approval of alternative equivalent analytical methods for monitoring compliance with water quality parameters required for drinking water. The rulemaking adopts the USEPA approved alternative testing methods for use in demonstrating compliance with the drinking water standards. USEPA added eleven alternative methods for analyzing various inorganic and organic chemical parameters and one radionuclide. USEPA included corrections to the listings for two earlier-approved alternative methods.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk's office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6].

For more information contact Michael J. McCambridge at 312-814-6924 or email at mccamb@ipcb.state.il.us.

Board Adopts Rules Identical in Substance Rules in In the Matter of: RCRA Subtitle C Update, USEPA Amendments (January 1, 2011 through June 30, 2011), R12-7

On April 19, 2012, the Board adopted amendments that update the Illinois hazardous waste regulations to include amendments adopted by the United States Environmental Protection Agency (USEPA) during the time period that embraces the first half of calendar year 2011. In the Matter of: RCRA Subtitle C Update, USEPA Amendments (January 1, 2011 through June 30, 2011), R12-7. During this time USEPA amended the federal land disposal restrictions relating to carbamate wastes on June 13, 2011 and the hazardous waste manifest printing requirements on June 22, 2011. The Board amended its rules accordingly.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk's office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6].

For more information contact Michael J. McCambridge at 312-814-6924 or email at mccamb@ipcb.state.il.us.

Board Adopts Second Notice Proposal for New Procedural Rules for Temporary Waiver of Legislative Landfill Ban for Electronic Devices, R12-21

On April 19, 2012, the Board adopted a second notice opinion and order for proposed new procedural rules for petitions filed with the Board for temporary waivers of the landfill ban under Section 95 of the Electronic Products Recycling and Reuse Act (EPRRA). The second notice proposal is identical to the first notice one, as no public comments were received. The rulemaking is docketed as In the Matter of: Procedural Rules for Review of Petitions for Temporary Landfill Ban Waivers Under Section 95 of the Electronic Products Recycling and Reuse Act. New 35 Ill. Adm. Code 106.Subpart J, R12-21.

The Joint Committee on Administrative Rules has scheduled its review of these rules under the Administrative Procedure Act (5 ILCS 5/1 et seq.) for May 15, 2012.

The General Assembly first adopted EPRRA in 2008. In 2011, the General Assembly enacted amendments including a revised definition of "covered electronic device" (CED) and a revised landfill ban. Section 95(e) of

EPRA addresses issues including contents of a petition for a temporary landfill ban waiver, criteria for Board consideration of a petition, the Board's decision deadline, appeal of Board orders denying temporary landfill ban waivers, and implementation of waivers. The proposed new 35 Ill. Adm. Code 106.Subpart J implements these provisions and follows the general format of other subparts of Part 106.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk's office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6]. The Clerk of the Board's address is Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601.

For more information contact Tim Fox at 312-814-6085 or email at foxt@ipcb.state.il.us.

Board Adopts Second Notice Proposal for Procedural Rule Update of Definition of Pollution Control Facility, R12-22

On April 19, 2012, the Board adopted a second-notice opinion and order for a proposal to amend the definition of "pollution control facility" in Section 101.202 of its procedural rules. The second notice proposal is identical to the first notice one, as no public comments were received. The proposal intends only to make the definition consistent with recent Public Acts amending it. The rulemaking is docketed as In the Matter of: Updates to the Definition of "Pollution Control Facility" at Section 101.202 of the Board's Procedural Rules to Reflect Recent Public Acts, R12-22. The Joint Committee on Administrative Rules has scheduled its review of these rules under the Administrative Procedure Act (5 ILCS 5/1 et seq.) for May 15, 2012.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk's office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6]. The Clerk of the Board's address is Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601.

For more information contact Tim Fox at 312-814-6085 or email at foxt@ipcb.state.il.us.

Board Adopts First-Notice Opinion and Order Concerning IEPA Proposal for Repeal of Illinois' Rules for Gasoline Volatility, and Amendment of Motor Vehicle Refinishing Rules R12-24

The Board, on April 19, 2012, adopted a first-notice opinion and order in response to an April 2, 2012 rulemaking proposal filed by the Illinois Environmental Protection Agency (IEPA) and docketed as In the Matter of: Gasoline Volatility Standards and Motor Vehicle Refinishing, Proposed Amendments to 35 Ill. Adm. Code Parts 211, 215, 218, and 219, R12-24. In so doing, the Board made no comment on the merits of the proposal.

The proposal has two prongs. First, it would repeal the state gasoline volatility standards, codified at 35 Ill. Adm. Code 215.585 and 219.585, since these have been replaced by federal standards. The repeal includes state standards in ozone attainment areas, as well as in the Chicago and Metro-East non-attainment areas (respectively, 35 Ill. Adm. Code 215.585 and 35 Ill. Adm. Code 219.585). All of these standards have "essentially been superseded by Illinois' participation in the Federal reformulated gasoline (RFG) program." Various clean-up amendments are also proposed, as necessitated by the proposed repeal.

Second, the proposal would also impact motor vehicle refinishing operations by allowing alternative use, in spray coating applications, of a High Volume Low Pressure (HVLP) spray gun for which USEPA has given written approval, and repeal of a state registration program that overlaps with the federal program.

Publication of these proposed amendments in the *Illinois Register* will begin a 45-day public comment period, during which anyone may file a public comment with the Board. The Board encourages persons to file public comments on these proposed amendments. The docket number for this rulemaking, R12-24, should be indicated on the public comment. Additionally, the Board will schedule two public hearings on the proposal.

Public comments must be filed with the Clerk of the Board. Public comments may be filed at the following address: Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601.

In addition, public comments may be filed electronically through COOL at www.ipcb.state.il.us. Any questions about electronic filing through COOL should be directed to the Clerk's Office at (312) 814-3629.

Opinions and orders of the Board, hearing transcripts, and other documents in rulemaking records are posted on the Board's Web site and may be downloaded from the Web without charge. Hard copies may be obtained from the Clerk's office upon payment of reproduction fees as prescribed by Section 6 of the Freedom of Information Act [5 ILCS 140/6]. For more information contact Kathleen Crowley at 312-814-6929 or email at crowlek@ipcb.state.il.us.

Board Actions

April 5, 2012

Chicago, Illinois

Adjusted Standards

AS 11-1	<u>In the Matter of: Petition of Greif Packaging, LLC for an Adjusted Standard from 35 Ill. Adm. Code Part 218. Subpart TT</u> – The Board granted an adjusted standard, subject to conditions, for petitioners fiber drum manufacturing facility located at 5 S 220 Frontenac Road in Naperville, DuPage County.	5-0 Air
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Administrative Citations

AC 10-21	<u>IEPA v. David Charles Bettis</u> – The Board entered a final opinion and order requiring respondent to pay hearing costs of the Illinois Environmental Protection Agency and the Board in the amount of \$386.50 and a civil penalty of \$3,000. This order follows the Board's interim order of February 16, 2012, which found that this respondent had violated Sections 21(p) (1) and (3) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(1) and (3) (2010)).	5-0
AC 11-13	<u>IEPA v. Ray Newingham</u> – The Board entered a final opinion and order requiring respondent to pay hearing costs of the Illinois Environmental Protection Agency and the Board in the amount of \$315.00 and a civil penalty of \$3,000. This order follows the Board's interim order of February 16, 2012, which found that this respondent had violated Sections 21(p) (1) and (7) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(1) and (7) (2010)).	5-0
AC 12-35	<u>IEPA v. Brian S. Mullins</u> – The Board granted complainant's motion to voluntarily dismiss the administrative citation.	5-0

Adjudicatory Cases

PCB 97-193	<u>People of the State of Illinois v. Community Landfill Company, Inc.</u>	5-0
PCB 04-207 (cons.)	<u>People of the State of Illinois v. Edward Pruim and Robert Pruim</u> – On remand from the Third District Appellate Court, the Board ordered Community Landfill Corporation (CLC), individually, to pay a civil penalty of twenty five thousand dollars (\$25,000). The Board ordered CLC and Edward Pruim and Robert Pruim to pay a civil penalty of \$225,000. The Board previously found in its October 3, 2002, April 5, 2001 and August 20, 2009 orders that respondents had violated numerous sections of the Environmental Protection Act and the Board's regulations. See <u>People v. Community Landfill Company, Inc.</u> , PCB 97-193 (Apr. 5, 2001), <u>People v. Community Landfill Company, Inc.</u> , PCB 97-193 (Oct. 3, 2002), and <u>People v. Community Landfill Co., Inc. and the Pruiims</u> , PCB 97-193, 04-207 (consol.) (Aug. 20, 2009).	L-E
PCB 06-81	<u>People of the State of Illinois v. Briggs Industries, Inc.</u> – Upon receipt of a	5-0

	proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this land and water enforcement action involving a Crawford County facility, the Board ordered publication of the required newspaper notice.	L, W-E
PCB 09-66	<u>Elmhurst Memorial Healthcare and Elmhurst Memorial Hospital v. Chevron U.S.A., Inc. and Texaco, Inc.</u> – The Board granted complainant’s motion to voluntarily dismiss this land enforcement action involving a DuPage County facility.	5-0 L-E, Citizens
PCB 11-58	<u>People of the State of Illinois v. Zachary Isaac d/b/a Nu Shine Car Wash and Samuel Johnson</u> – In this water enforcement action concerning a McHenry County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2010)), accepted a stipulation and settlement agreement as to Samuel Johnson only, ordering the respondent to pay a total civil penalty of \$4,000.00, and to cease and desist from further violations.	5-0 W-E
PCB 11-74	<u>People of the State of Illinois v. Adolf M. Lo and Renee C. Lo d/b/a Lo Farms</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air and water enforcement action involving a Champaign County facility, the Board ordered publication of the required newspaper notice.	5-0 A,W-E
PCB 11-105	<u>Peopl of the State of Illinois v. Kolb-Lena Bresse Bleu, Inc., Kolb-Lena, Inc. and Zausner Foods Corp.</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action involving a Stephenson County facility, the Board ordered publication of the required newspaper notice.	5-0 A-E
PCB 12-27	<u>People of the State of Illinois v. Industrial Enclosure Corporation</u> – In this land enforcement action concerning a Kane County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2010)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$7,500.00, and to cease and desist from further violations.	5-0 L-E
PCB 12-101	<u>ConocoPhillips Company v. IEPA</u> – The Board granted petitioner’s motion for stay of contested conditions	3-0 P-A, NPDES Burke abstained Holbrook abstained
PCB 12-120	<u>People of the State of Illinois v. S. H. Bell Co., Inc.</u> – Upon receipt of a complaint accompanied by a proposed stipulation and settlement agreement, and an agreed motion to request relief from the hearing requirement in this air enforcement action involving a facility located in Cook County facility, the Board ordered publication of the required newspaper notice.	5-0 A-E

**April 19, 2012
Springfield and Chicago, Illinois**

Rulemakings

R 11-9	<u>In the Matter of: Tiered Approach to Corrective Action Objectives (TACO) (Indoor Inhalation): Amendments to 35 Ill. Adm. Code 742</u> – The Board adopted a first notice opinion and order in this rulemaking to amend the Board’s land pollution control regulations.	4-0 Air Burke abstaine d
R 12-4	<u>SDWA Update, USEPA Amendments (January 1, 2011 through June 30, 2011)</u> – The Board adopted a final opinion and order in this “identical-in-substance” rulemaking which amends the Board’s drinking water regulations.	5-0 Water
R 12-7	<u>RCRA Subtitle C (Hazardous Waste) Update, USEPA Amendments (January 1, 2011 through June 30, 2011)</u> – The Board adopted a final opinion and order in this “identical-in-substance” rulemaking which amends the Board’s hazardous waste regulations.	5-0 Land
R 12-21	<u>In the Matter of: Procedural Rules for Review of Petitions for Temporary Landfill Ban Waivers Under Section 95 of the Electronic Products Recycling and Reuse Act: New 35 Ill. Adm. Code 106, Subpart J</u> – The Board adopted a second notice opinion and order in this rulemaking proposal to amend the Board’s procedural rules.	5-0 Procedu ral
R 12-22	<u>In the Matter of: Updates to the Definition of "Pollution Control Facility" at Section 101.202 of the Board's Procedural Rules to Reflect Recent Public Acts</u> – The Board adopted a second notice opinion and order in this rulemaking proposal to amend the Board’s procedural rules.	5-0 Procedu ral
R 12-24	<u>In the Matter of: Gasoline Volatility Standards and Motor Vehicle Refinishing; Proposed Amendments to 35 Ill. Adm. Code Parts 211, 215, 218, and 219</u> – The Board accepted for hearing the Illinois Environmental Protection Agency’s (IEPA) April 2, 2012 proposal to amend the Board’s air pollution control regulations. The Board granted the IEPA’s motion for relief from certain copying requirements. The Board adopted a first notice opinion and order in this rulemaking proposal, without comment on the merits.	5-0 Air

Administrative Citations

AC 10-30	<u>County of Jackson v. Frances Klink</u> – The Board entered an interim opinion and order finding respondent violated Sections 21(p)(1), 21(p)(3), and 21(p)(7) of the Environmental Protection Act (Act) (415 ILCS 5/21(p)(1), 21(p)(3), 21(p)(7) (2010)) and assessing a penalty of \$4,500. The Board ordered the Clerk of the Board and the Illinois Environmental Protection Agency to file by May 21, 2012, a statement of hearing costs, supported by affidavit, with service on respondent. Respondent may respond to the cost statement within 21 days of service.	5-0
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Adjudicatory Cases

PCB 11-25	<u>Estate of Gerald D. Slightom v. IEPA</u> – The Board denied the IEPA’s motions requesting a “finding or ripeness of a ruling for interlocutory appeal” and requesting a ruling on the IEPA’s motion for summary judgment.	5-0 UST Appeal
PCB 12-20	<u>Clean Construction & Recycling, LLC and G & E Eight Series, LLC v. IEPA</u> – The Board granted petitioner’s motion for voluntary dismissal of this permit appeal.	5-0 P-A, Land
PCB 12-112	<u>People of the State of Illinois v. Berteau-Lowell Plating Works, Inc</u> – Upon receipt of a proposed stipulation and settlement agreement and an agreed motion to request relief from the hearing requirement in this air enforcement action involving a Cook County facility, the Board ordered publication of the required newspaper notice.	5-0 A-E
PCB 12-119	<u>People of the State of Illinois v. Evergreen FS, Inc.</u> , – In this land enforcement action concerning a Tazewell County facility, the Board granted relief from the hearing requirement of Section 31(c)(1) of the Environmental Protection Act (415 ILCS 5/31(c)(1) (2010)), accepted a stipulation and settlement agreement, and ordered the respondent to pay a total civil penalty of \$11,000.00, and to cease and desist from further violations. Respondent also agreed to pay an additional \$1,206.33 for the value of the fish killed and expenses incurred by the Illinois Department of Natural Resources in investigating the fish kill.	5-0 L-E

New Cases

April 5, 2012 Board Meeting

12-120 People of the State of Illinois v. S. H. Bell Co., Inc. – Upon receipt of a complaint accompanied by a proposed stipulation and settlement agreement, and an agreed motion to request relief from the hearing requirement in this air enforcement action involving a facility located in Cook County facility, the Board ordered publication of the required newspaper notice.

AC 12-32 IEPA v. Best One Tire & Service of Fairfield, Inc. and Rogers & Associates – The Board accepted an administrative citation against these Wayne County respondents.

AC 12-33 IEPA v. Shapiro Brothers of Illinois, Inc. d/b/a Milano Metals and Recycling – The Board accepted an administrative citation against these Jefferson County respondents.

AC 12-34 IEPA v. David N. Lutz – The Board accepted an administrative citation against this Shelby County respondent.

AC 12-35 IEPA v. Brian S. Mullins – The Board granted complainant’s motion to voluntarily dismiss the administrative citation.

April 19, 2012 Board Meeting

12-121 Midwest Generation, LLC - Waukegan Generating Station v. IEPA – No action taken.

AC 12-36 IEPA v. Mark H. & Linda A. Hagen – The Board accepted an administrative citation against these Jersey County respondents.

AC 12-37 IEPA v. William Bryant – The Board accepted an administrative citation against this Champaign County respondent.

AC 12-38 IEPA v. Funk Builders, Inc. – The Board accepted an administrative citation against this Woodford County respondent.

AC 12-39 IEPA v. CMH Homes, Inc. and David R. Moser – The Board accepted an administrative citation against these Jefferson County respondents.

AC 12-40 IEPA v. Michael Brooks – The Board accepted an administrative citation against this Ford County respondent.

AC 12-41 IEPA v. Louis K. Niemeyer – The Board accepted an administrative citation against this Coles County respondent.

AC 12-42 IEPA v. John K. Croslow (IEPA File No. 80-12-AC) – The Board accepted an administrative citation against this Lawrence County respondent.

AC 12-43 IEPA v. John K. Croslow (IEPA File No. 81-12-AC) – The Board accepted an administrative citation against this Lawrence County respondent.

AC 12-44 IEPA v. William C. Hagerman – The Board accepted an administrative citation against this Logan County respondent.

AC 12-45 IEPA v. Grayboy Cycle Center, Inc. – The Board accepted an administrative citation against this Peoria County respondent.

AC 12-46 IEPA v. Hughes Tire & Battery Company (IEPA File No. 91-12-AC) – The Board accepted an administrative citation against this Rock Island County respondent.

AC 12-47 IEPA v. Hughes Tire & Battery Company (IEPA File No. 92-12-AC) – The Board accepted an administrative citation against this Rock Island County respondent.

AS 12-3 Petition of Midway RACs, LLC for Adjusted Standard from 35 Ill. Adm. Code 218.586 – No action taken.

R12-24 In the Matter of: Gasoline Volatility Standards and Motor Vehicle Refinishing; Proposed Amendments to 35 Ill. Adm. Code Parts 211, 215, 218, and 219 – The Board accepted for hearing the Illinois Environmental Protection Agency’s (IEPA) April 2, 2012 proposal to amend the Board’s air pollution control regulations. The Board granted the IEPA’s motion for relief from certain copying requirements. The Board adopted a first notice opinion and order in this rulemaking proposal, without comment on the merits.

Provisional Variance

IEPA 12-11 Exelon Generation Company L.L.C Quad Cities Nuclear Power Station v. Illinois Environmental Protection Agency— On March 21, 2012, the Illinois Environmental Protection Agency granted Exelon Generation Company, L.L.C.’s (Exelon) request for a provisional variance through March 31, 2012 for its Quad cities Nuclear Power Station (Power Station). The provisional variance allows Exelon to exceed the maximum temperature limit in Special Condition 6B of NPDES Permit IL0005037 by no more than 5 degrees (62 degrees for March), or two degrees above ambient river temperature, whichever is greater. The Power Station is a nuclear-fueled steam electric generating facility located near Cordova, Illinois, on the Mississippi River. Exelon requested the provisional variance because Illinois is experiencing record-breaking warm weather for this spring, and the Power Station has exhausted its excursion hours.

IEPA 12-12 Exelon Generation Company, LLC Braidwood Nuclear Power Station v. Illinois Environmental Protection Agency -- The Illinois Environmental Protection Agency granted Exelon Generation Company, LLC’s March 21, 2012 request provisional variance from the effluent thermal limits of 60 degrees Fahrenheit contained in NPDES Permit IL0048321 for its Braidwood Nuclear Power Station. Exelon requested the provisional variance

because of the unusually hot and dry weather resulted in intake temperatures of approximately 60 degrees Fahrenheit or above. The provisional variance from Special Condition 3B of NPDES Permit IL0048321 is effective through March 31, 2012.

IEPA 12-13 Ameren Energy – E.D. Edwards v. Illinois Environmental Protection Agency – The Illinois Environmental Protection Agency, on March 22, 2012, granted Ameren Energy’s request for a provisional variance from the thermal limits in NPDES Permit IL0001970 to allow Ameren Edwards to continue operating through the unseasonable spring weather which resulted in high river temperatures combined with blow average river flows. Ameren Edwards Power Station is an electric generating station located in Bartonville, Peoria County on the Illinois River. The provisional variance from Special Condition 3 of NPDES Permit IL0001970 ends no later than March 31, 2012

IEPA 12-14 Exelon Generation Company, LLC Dresden Nuclear Power Station v. Illinois Environmental Protection Agency -- The Illinois Environmental Protection Agency granted Exelon Generation Company, LLC’s March 21, 2012 request provisional variance for its Dresden Nuclear Power Station. Exelon requested the provisional variance because intake temperatures of approximately 60 degrees Fahrenheit or above, which presented an undue hardship for Exelon to meet the effluent thermal limits of 60 degrees Fahrenheit contained in Special Condition 3B of NPDES Permit IL0002224. Dresden is a nuclear-fueled steam electric generating facility located at the confluence of the Des Plaines and Kankakee Rivers near Morris, Illinois. The provisional variance is effective through March 21, 2012, and ends on April 1, 2012.

Public Act 93-0152 (Senate Bill 222) amended Sections 35-37 of the Illinois Environmental Act (415 ILCS 5/5(b) (2010)) so that provisional variances are issued by the Illinois Environmental Protection Agency (IEPA). If the IEPA grants a provisional variance, then the IEPA must file a copy of its written decision with the Board. The Board must maintain copies of the provisional variances for public inspection. Copies of provisional variances can be obtained by contacting the Clerk’s Office at (312) 814-3620, or by visiting the Board’s Website at www.ipcb.state.il.us. If the IEPA denies a provisional variance request, then the applicant may initiate a proceeding with the Board for a full variance.

Calendar

5/3/2012 11:00 AM	Illinois Pollution Control Board Meeting		Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago And 1021 N. Grand Avenue East Oliver Holmes Conference Room 2012 N Springfield
5/9/2012 10:30 AM	PCB 10-046	<u>Freedom Oil Company v. IEPA</u>	Pollution Control Board Hearing Room 1021 N. Grand Avenue East Springfield

5/17/2012 2 11:00 AM	Illinois Pollution Control Board Meeting		Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago And 1021 N. Grand Avenue East Oliver Holmes Conference Room 2012 N Springfield
6/7/2012 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
6/21/2012 2 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
6/26/2012 10:00 AM	PCB 10-046	<u>ConocoPhillips Company v. IEPA</u>	County Board Room 203 Madison County Administration Building 157 N. Main St. Edwardsville
7/12/2012 2 11:00 AM	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
7/26/2012 2 11:00 am	Illinois Pollution Control Board Meeting		James R. Thompson Center 100 W. Randolph Street Chicago
8/9/2012 11:00 am	Illinois Pollution Control Board Meeting		Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago And 1021 N. Grand Avenue East Oliver Holmes Conference Room 2012 N Springfield
8/21/2012 2 10:00 AM	R12-23	<u>In the Matter of: Concentrated Animal</u> <u>Feeding Operations (CAFOs):</u> <u>Proposed Amendments to 35 Ill. Adm.</u> <u>Code Parts 501, 502, and 504</u> (Continues until completed or through August 23, 2012)	IEPA Sangamo Room 1021 N. Grand Avenue East (North Entrance) Springfield

<p>8/23/201 2 11:00 am</p>	<p>Illinois Pollution Control Board Meeting</p>	<p>Videoconference Chicago/Springfield James R. Thompson Center Hearing Room 11-512 100 W. Randolph Street Chicago And 1021 N. Grand Avenue East Oliver Holmes Conference Room 2012 N Springfield</p>
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Class III Groundwater Listing Notice

In accordance with 35 Ill. Adm. Code 620.230(b)(2), the Illinois Environmental Protection Agency (“Illinois EPA”) is publishing a proposed listing of dedicated nature preserves (“DNP”) to be classified as Class III: Special Resource Groundwater in the Environmental Register for a 45-day public comment period. The proposed list of DNPs include: Cotton Creek Marsh, George B. Fell, Gladstone Fen, Goose Lake Prairie, Spring Grove Fen and Trout Park, all dedicated nature preserves. This is the fifth Class III petition received by the Illinois EPA, and the third to include multiple DNPs.

Based upon the authority of 35 Ill. Adm. Code 620.230, Class III: Special Resource Groundwater can be established for: groundwater that is demonstrably unique (e.g. irreplaceable sources of groundwater) and suitable for application of a water quality standard more stringent than the otherwise applicable water quality standard specified; groundwater that is vital for a particularly sensitive ecological system; or groundwater contributing to a DNP that has been listed by the Illinois EPA. The Illinois EPA is required to review a written request to list DNPs, and upon confirmation of the technical adequacy, publish the proposed listing of the DNP(s) in the Environmental Register for a 45-day public comment period. Within 60 days after the close of the comment period, the Illinois EPA is required to publish a final listing in the Environmental Register, or provide the requestor with a written response specifying reasons for not publishing a final listing.

The Groundwater Section of the Bureau of Water, at the Illinois EPA, has completed the review required according to the criteria specified in Subsection 620.230(b)(1) and finds the petition to be technically adequate. Therefore, the Illinois EPA is publishing the following proposed listings:

Cotton Creek Marsh: Exhibit 1	Goose Lake Prairie: Exhibit 4
George B. Fell: Exhibit 2	Spring Grove Fen: Exhibit 5
Gladstone Fen: Exhibit 3	Trout Park: Exhibit 6

for a 45-day public comment period in the Environmental Register. Questions or comments regarding the proposal and hard copies of the petition can be obtained from the following:

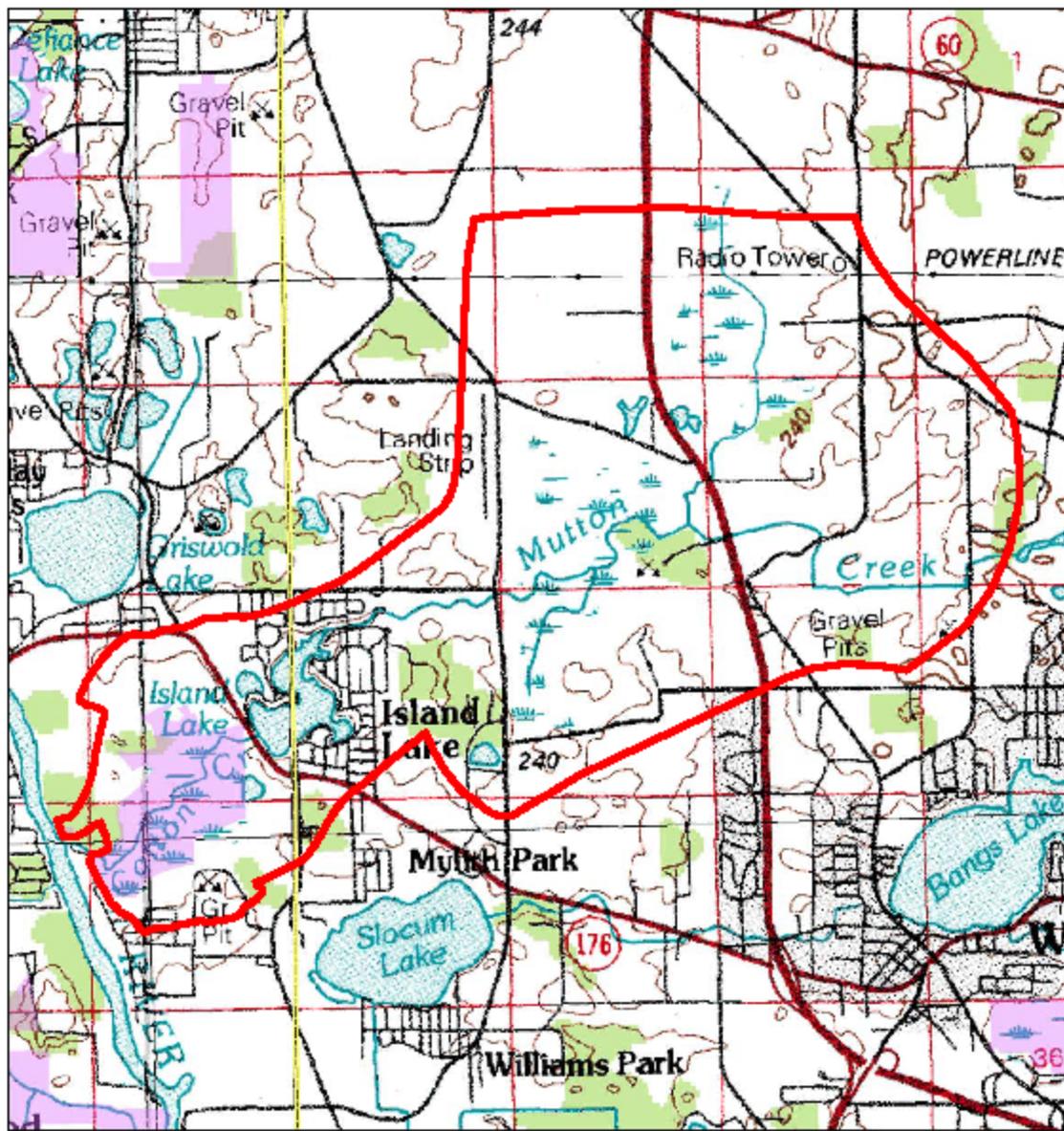
Lynn E. Dunaway, P.G.
Groundwater Section
Division of Public Water Supplies
Bureau of Water
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 785-4787
lynn.dunaway@illinois.gov

EXHIBIT 1

Cotton Creek Marsh

Class III Designation Proposal

Cotton Creek Marsh Class III Groundwater Area



Legend

-  Proposed Class III Groundwater Area
-  Dedicated Nature Preserves
-  County Boundaries

0 0.25 0.5 1 1.5 2 Miles

Cotton Creek Marsh Class III Special Resource Groundwater Listing Notice

The Illinois Environmental Protection Agency (Illinois EPA) requests a proposed listing of Cotton Creek, a dedicated nature preserve (DNP), and the area that contributes groundwater to the DNP, as Class III: Special Resource Groundwater. Cotton Creek Marsh Nature Preserve is located on the eastern boundary of McHenry County, in the Village of Island Lake. Plant communities at this site include marsh, sedge meadow, low gradient creek, wet prairie, successional fields and fen, which depend on the specialized hydrogeologic conditions to deliver mineral-rich groundwater for their continued survival. The marsh is also home to two threatened plants and one threatened animal. Cotton Creek Marsh is a 249.1 acre tract of land owned by the McHenry County Conservation District, located in Sections 20 and 29, Township 44 North, Range 9 East, McHenry County. The groundwater contribution area (GCA), which is proposed for Class III designation, is 8.1 square miles (5,184 acres) surrounding the marsh and stretching to the northeast, extending into Lake County.

Under the authority of 35 Ill. Adm. Code 620.230, Class III: Special Resource Groundwater can be established for: groundwater that is demonstrably unique (e.g. irreplaceable sources of groundwater) and suitable for application of a water quality standard more stringent than the otherwise applicable water quality standard specified; groundwater that is vital for a particularly sensitive ecological system; or groundwater contributing to a DNP that has been listed by the Illinois EPA. The Illinois EPA is required to review a written request to list DNPs, and upon confirmation of the technical adequacy, publish the proposed listings of the DNP(s) in the Environmental Register for a 45-day public comment period. Within 60 days after the close of the comment period, the Illinois EPA is required to publish a final listing in the Environmental Register.

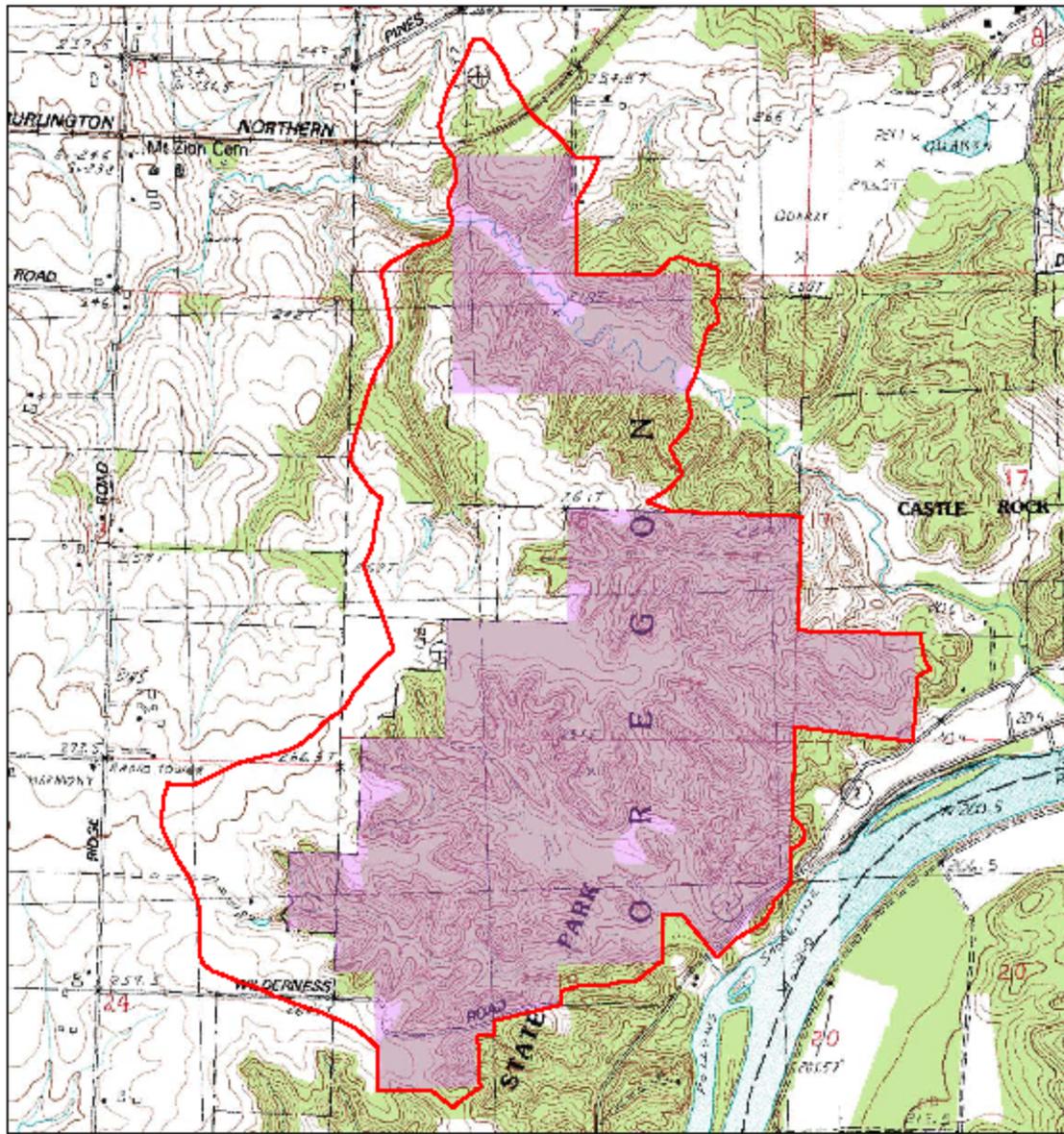
The Groundwater Section of the Bureau of Water at the Illinois EPA has completed the review required according to the criteria specified in Subsection 620.230(b)(1), and finds the petition to be technically adequate.

EXHIBIT 2

George B. Fell

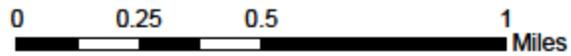
Class III Designation Proposal

George B. Fell Class III Groundwater Area



Legend

-  Proposed Class III Groundwater Area
-  Dedicated Nature Preserves
-  County Boundaries



George B. Fell Class III Special Resource Groundwater Listing Notice

The Illinois Environmental Protection Agency (Illinois EPA) requests a proposed listing of George B. Fell, a dedicated nature preserve (DNP), and the area that contributes groundwater to the DNP, as Class III: Special Resource Groundwater. George B. Fell Nature Preserve is located in central Ogle County, Illinois, as a part of Castle Rock State Park, near the City of Oregon. The preserve is recognized as having the only remaining assemblage of relict boreal plants of their type left in Illinois, and is documented to support at least ten state-listed threatened or endangered plants and two state-threatened animals. The 709 acre nature preserve is divided into a northern portion and a southern portion, situated in Sections 7, 17, 18, and 19 in Township 23 North, Range 10 East and in Section 24 in Township 23 North, Range 9 East, of the Third Principal Meridian. The GCA for the preserve, which is proposed for Class III designation, totals 1.6 square miles (1,024 acres), within 0.5 and 0.25 miles around the edges of the northern and southern portions, respectively.

Under the authority of 35 Ill. Adm. Code 620.230, Class III: Special Resource Groundwater can be established for: groundwater that is demonstrably unique (e.g. irreplaceable sources of groundwater) and suitable for application of a water quality standard more stringent than the otherwise applicable water quality standard specified; groundwater that is vital for a particularly sensitive ecological system; or groundwater contributing to a DNP that has been listed by the Illinois EPA. The Illinois EPA is required to review a written request to list DNPs, and upon confirmation of the technical adequacy, publish the proposed listings of the DNP(s) in the Environmental Register for a 45-day public comment period. Within 60 days after the close of the comment period, the Illinois EPA is required to publish a final listing in the Environmental Register.

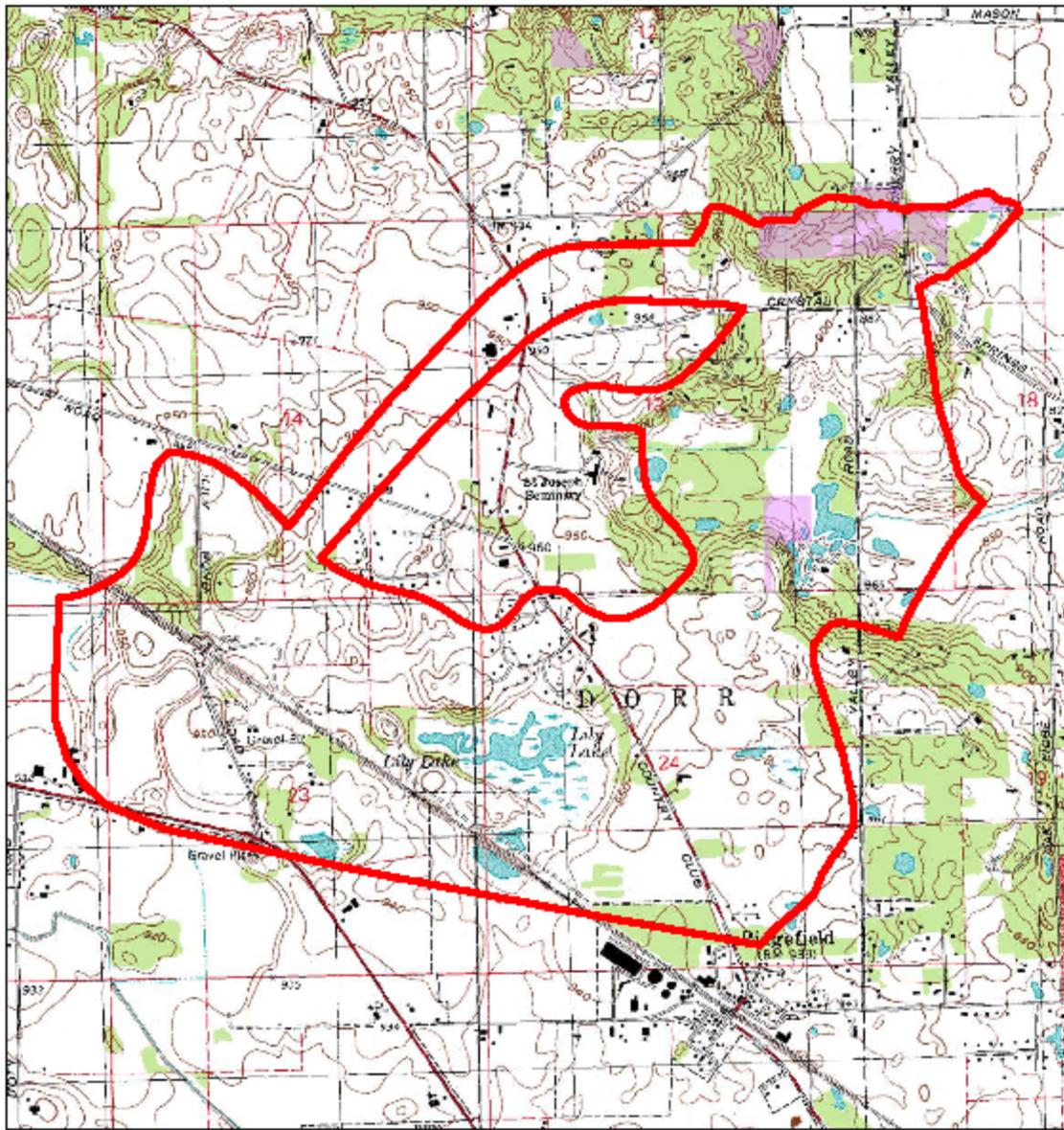
The Groundwater Section of the Bureau of Water at the Illinois EPA has completed the review required according to the criteria specified in Subsection 620.230(b)(1), and finds the petition to be technically adequate.

EXHIBIT 3

Gladstone Fen

Class III Designation Proposal

Gladstone Fen Class III Groundwater Area



Legend

-  Proposed Class III Groundwater Area
-  Dedicated Nature Preserves
-  County Boundaries

0 0.25 0.5 1 Miles

Gladstone Fen Class III Special Resource Groundwater Listing Notice

The Illinois Environmental Protection Agency (Illinois EPA) requests a proposed listing of Gladstone Fen, a dedicated nature preserve (DNP), and the area that contributes groundwater to the DNP, as Class III: Special Resource Groundwater. Gladstone Fen Nature Preserve is located on an 11.8 acre tract located within and adjacent to a 38 acre tract included in the Illinois Natural Areas Inventory (INAI) in east central McHenry County, near the Village of Bull Valley. The sensitive ecological communities include fen, sedge meadow, prairie and oak savanna. Both the fen and sedge meadow rely on naturally mineralized groundwater to support their biological communities. The site is also documented to support two state-threatened plants. Jointly owned by Lorna and Evan Gladstone and the McHenry County Conservation District, Gladstone Fen and the INAI form an interdependent area that consists of 49.8 acres positioned in Section 18, Township 44 North, Range 8 East, of the Third Principal Meridian. The GCA, which is proposed for Class III designation, extends southwest of the preserve, covering 2.64 square miles (1,690 acres).

Under the authority of 35 Ill. Adm. Code 620.230, Class III: Special Resource Groundwater can be established for: groundwater that is demonstrably unique (e.g. irreplaceable sources of groundwater) and suitable for application of a water quality standard more stringent than the otherwise applicable water quality standard specified; groundwater that is vital for a particularly sensitive ecological system; or groundwater contributing to a DNP that has been listed by the Illinois EPA. The Illinois EPA is required to review a written request to list DNPs, and upon confirmation of the technical adequacy, publish the proposed listings of the DNP(s) in the Environmental Register for a 45-day public comment period. Within 60 days after the close of the comment period, the Illinois EPA is required to publish a final listing in the Environmental Register

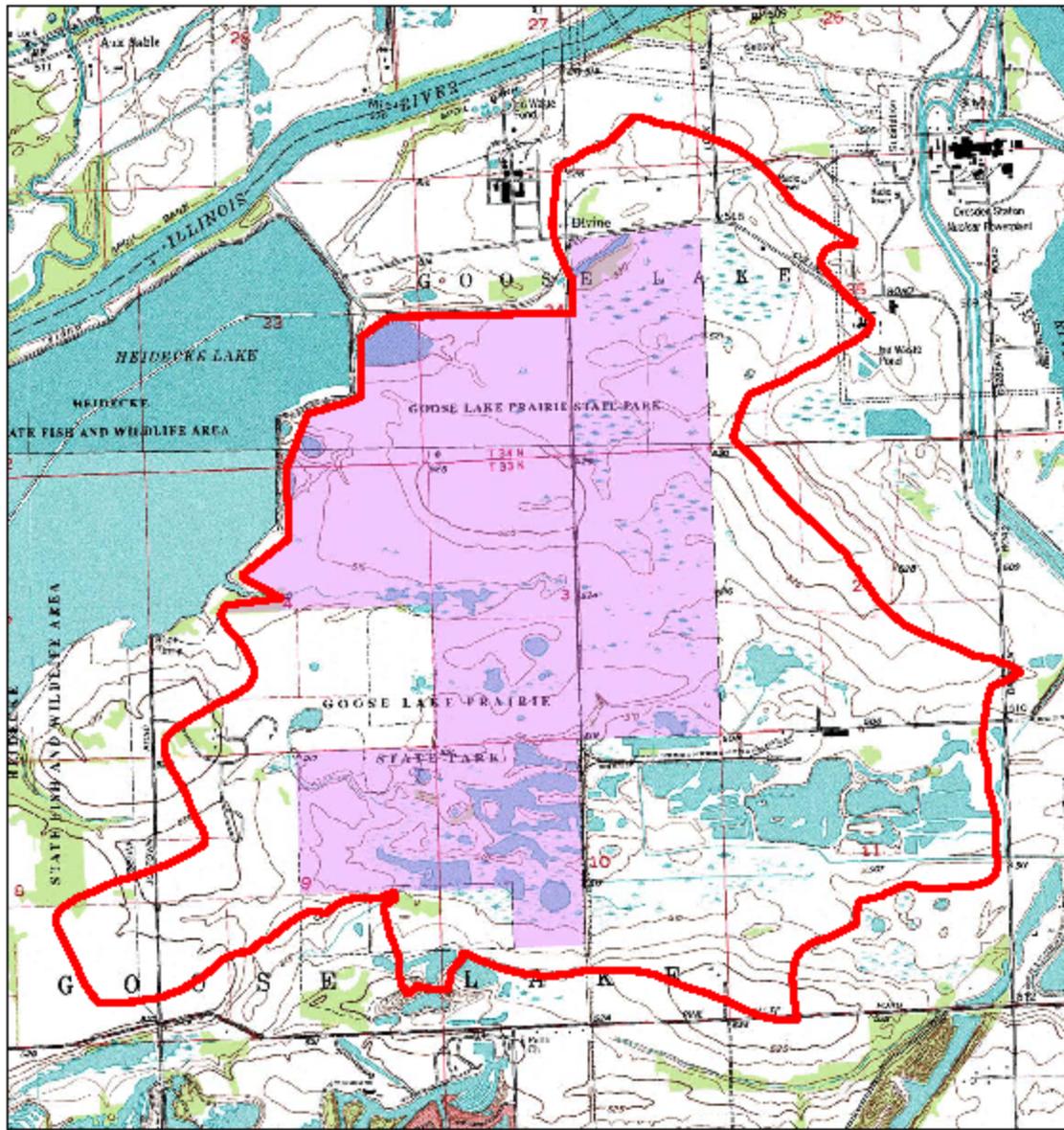
The Groundwater Section of the Bureau of Water at the Illinois EPA has completed the review required according to the criteria specified in Subsection 620.230(b)(1), and finds the petition to be technically adequate.

EXHIBIT 4

Goose Lake Prairie

Class III Designation Proposal

Goose Lake Prairie Class III Groundwater Area



Legend

-  Proposed Class III Groundwater Area
-  Dedicated Nature Preserves
-  County Boundaries

0 0.25 0.5 1 1.5 Miles

Goose Lake Prairie Class III Special Resource Groundwater Listing Notice

The Illinois Environmental Protection Agency (Illinois EPA) requests a proposed listing of Goose Lake Prairie, a dedicated nature preserve (DNP), and the area that contributes groundwater to the DNP, as Class III: Special Resource Groundwater. Goose Lake Prairie Nature Preserve is located on 1,628 acres in Sections 3, 4, 9, and 10 in Township 33 North, Range 8 East and portions of Sections 33 and 34 in Township 34 North, Range 8 East, Grundy County, on property owned by the Illinois Department of Natural Resources. Goose Lake Prairie represents the largest remnant prairie in Illinois. Fifteen species of State threatened and State endangered species survive in the prairie or use it for nesting. Included among the rare animals are two species of moths. One species had never before been classified and named. The other species was thought to be extinct until it was rediscovered at Goose Lake Prairie in 1995. The groundwater at the site is important to this unique community, particularly the wet prairie areas. The GCA for Goose Lake Prairie, which is proposed for Class III designation, extends primarily to the south of the nature preserve and encompasses 5.7 square miles (3,648 acres).

Under the authority of 35 Ill. Adm. Code 620.230, Class III: Special Resource Groundwater can be established for: groundwater that is demonstrably unique (e.g. irreplaceable sources of groundwater) and suitable for application of a water quality standard more stringent than the otherwise applicable water quality standard specified; groundwater that is vital for a particularly sensitive ecological system; or groundwater contributing to a DNP that has been listed by the Illinois EPA. The Illinois EPA is required to review a written request to list DNPs, and upon confirmation of the technical adequacy, publish the proposed listings of the DNP(s) in the Environmental Register for a 45-day public comment period. Within 60 days after the close of the comment period, the Illinois EPA is required to publish a final listing in the Environmental Register.

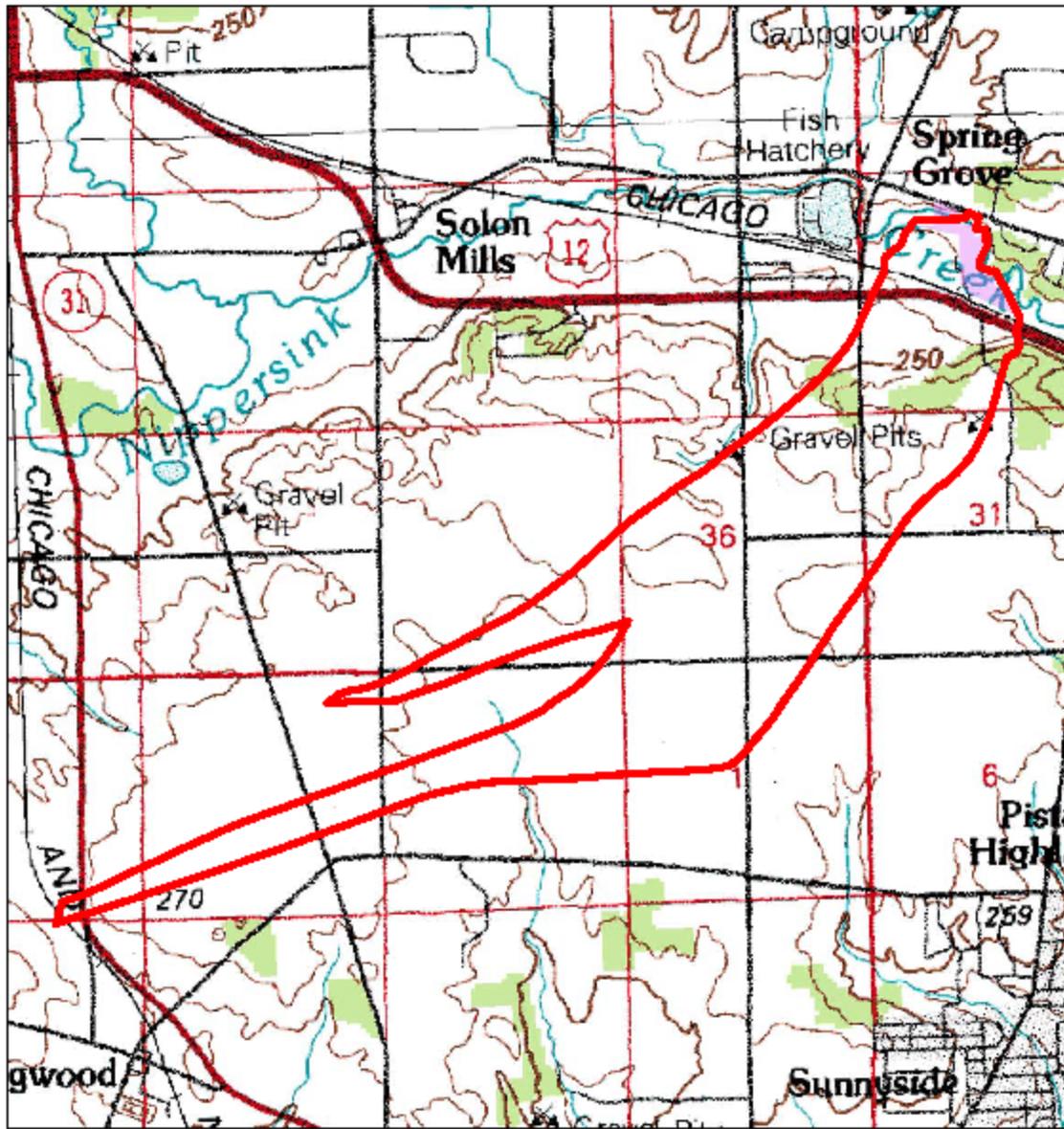
The Groundwater Section of the Bureau of Water at the Illinois EPA has completed the review required according to the criteria specified in Subsection 620.230(b)(1), and finds the petition to be technically adequate.

EXHIBIT 5

Spring Grove Fen

Class III Designation Proposal

Spring Grove Fen Class III Groundwater Area



Legend

-  Proposed Class III Groundwater Area
-  Dedicated Nature Preserves
-  County Boundaries

0 0.25 0.5 1 1.5 2 Miles

Spring Grove Fen Class III Special Resource Groundwater Listing Notice

The Illinois Environmental Protection Agency (Illinois EPA) requests a proposed listing of Spring Grove Fen, a dedicated nature preserve (DNP), and the area that contributes groundwater to the DNP, as Class III: Special Resource Groundwater. Spring Grove Fen Nature Preserve is located on a series of glacial terraces along Nippersink Creek, southeast of Spring Grove. The 33.4 acre parcel is owned by the McHenry County Conservation District and is in Section 30, Township 46 North, Range 9 East, McHenry County. The mineral rich groundwater discharging on the nature preserve contributes to the perpetuation of high quality graminoid fen and very high quality sedge meadow communities. The nature preserve is known to harbor one State endangered plant, one State threatened plant and one State threatened animal. The GCA for Spring Grove Fen Nature Preserve, which is proposed for Class III designation, is 2.4 square miles (1,550 acres) that extends to the southwest of the preserve.

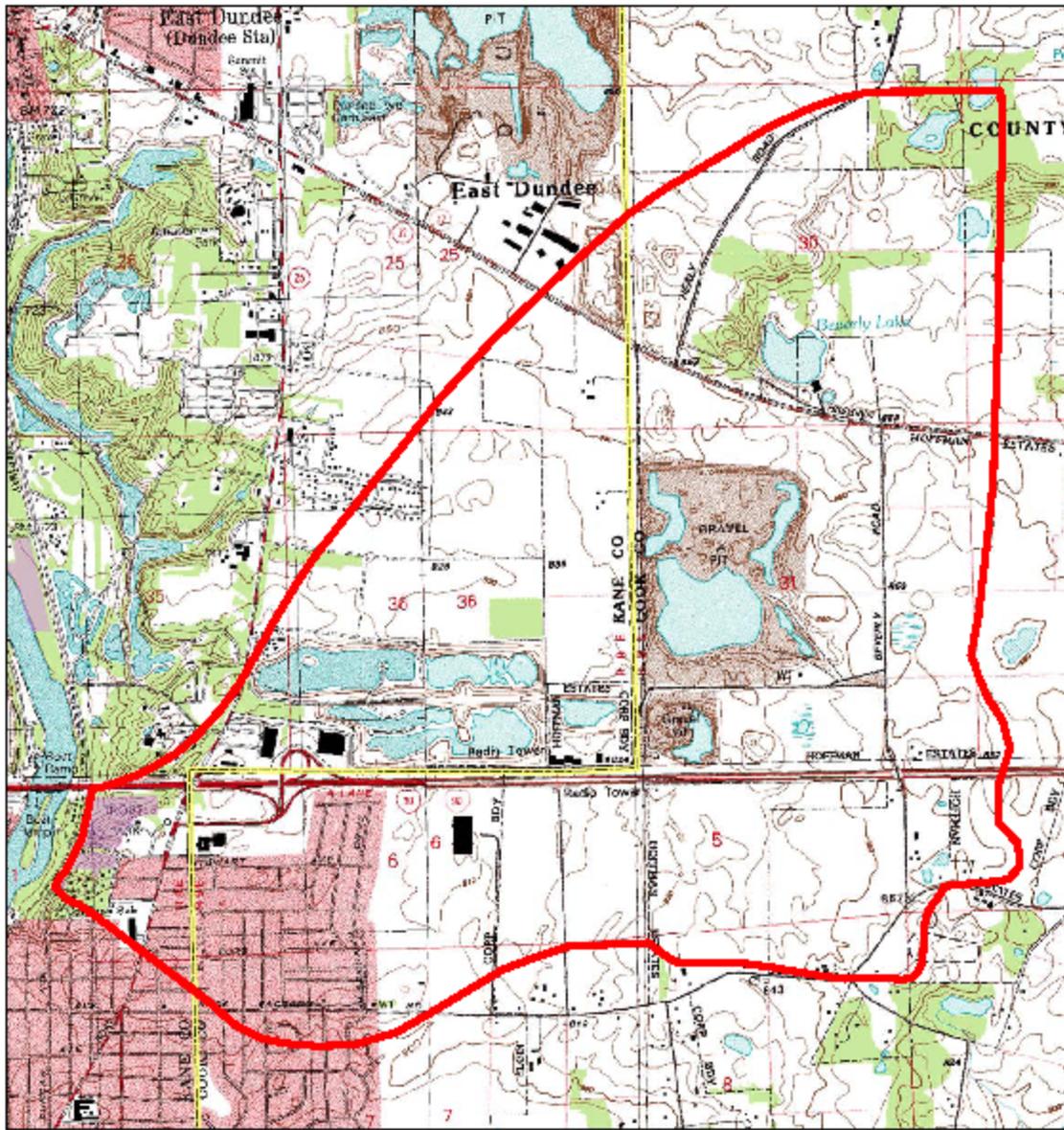
Under the authority of 35 Ill. Adm. Code 620.230, Class III: Special Resource Groundwater can be established for: groundwater that is demonstrably unique (e.g. irreplaceable sources of groundwater) and suitable for application of a water quality standard more stringent than the otherwise applicable water quality standard specified; groundwater that is vital for a particularly sensitive ecological system; or groundwater contributing to a DNP that has been listed by the Illinois EPA. The Illinois EPA is required to review a written request to list DNPs, and upon confirmation of the technical adequacy, publish the proposed listings of the DNP(s) in the Environmental Register for a 45-day public comment period. Within 60 days after the close of the comment period, the Illinois EPA is required to publish a final listing in the Environmental Register.

The Groundwater Section of the Bureau of Water at the Illinois EPA has completed the review required according to the criteria specified in Subsection 620.230(b)(1), and finds the petition to be technically adequate.

EXHIBIT 6

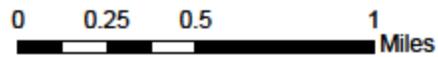
Trout Park Class III Designation Proposal

Trout Park Class III Groundwater Area



Legend

-  Proposed Class III Groundwater Area
-  Dedicated Nature Preserves
-  County Boundaries



Trout Park Class III Special Resource Groundwater Listing Notice

The Illinois Environmental Protection Agency (Illinois EPA) requests a proposed listing of Trout Park, a dedicated nature preserve (DNP), and the area that contributes groundwater to the DNP, as Class III: Special Resource Groundwater. Trout Park Nature Preserve consists of two parcels totally 26.8 acres owned by the City of Elgin. The nature preserve is located in Section 1, Township 41 North, Range 8 East, Kane County. Of the total acreage contained in the nature preserve, 9.5 acres are composed of a rare, forested fen. Only 14.5 acres of forested fen are known to exist in Illinois. In addition to the rare plant life supported by the highly mineralized groundwater, which includes one State endangered and two State threatened plant species, the cool groundwater seeps and ravines in the nature preserve combine to form microclimates. The cooler than normal microclimates within the ravines allows plants and animals typically found further north, such as the Northern White Cedar, to survive in Illinois. The Northern White Cedar is typically found in Canada, northern Minnesota and east to the New England states. The GCA for Trout Park Nature Preserve, which is proposed for Class III designation, is 4.9 square miles (3,109 acres) that located to the northeast of the preserve and extends into Cook County.

Under the authority of 35 Ill. Adm. Code 620.230, Class III: Special Resource Groundwater can be established for: groundwater that is demonstrably unique (e.g. irreplaceable sources of groundwater) and suitable for application of a water quality standard more stringent than the otherwise applicable water quality standard specified; groundwater that is vital for a particularly sensitive ecological system; or groundwater contributing to a DNP that has been listed by the Illinois EPA. The Illinois EPA is required to review a written request to list DNPs, and upon confirmation of the technical adequacy, publish the proposed listings of the DNP(s) in the Environmental Register for a 45-day public comment period. Within 60 days after the close of the comment period, the Illinois EPA is required to publish a final listing in the Environmental Register.

The Groundwater Section of the Bureau of Water at the Illinois EPA has completed the review required according to the criteria specified in Subsection 620.230(b)(1), and finds the petition to be technically adequate.

Illinois Environmental Protection Agency
Division of Public Water Supplies
Restricted Status List - Public Water Supplies

APRIL 2012

<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTIN G DATE</i>
ALTERNATIVE BEHAVIOR TREATMENT CENTER - IL0977189	2	INADEQUATE PRESSURE TANK	50	6/15/1988
ARLINGTON REHABILITATION LIVING CENTER - IL0971110	2	INADEQUATE HYDRO STORAGE	180	12/1/2003
AURORA COMMUNITY WATER ASSN - IL0895750	2	INADEQUATE PRESSURE TANK	150	12/16/1988
BAHL WATER CORP - IL0855200	1	INADEQUATE PRESSURE TANK	700	12/15/1993
BIGGSVILLE – IL0710050	5	EXCEEDANCES OF GROSS ALPHA AND COMBINED RADIUM MCL'S	350	4/1/2010
BRADLEY HEIGHTS SUBDIVISION - IL2015050	1	INADEQUATE PRESSURE TANK	192	9/13/1985
BRYANT – IL0570200	5	EXCEEDING THE MCLs FOR COMBINED RADIUM	267	10/1/2010
BUFFALO HOLLOW FARMS WATER ASSOCIATION – IL1430080	5	INADEQUATE PRESSURE STORAGE	44	6/16S/2008
CARROLL HEIGHTS UTILITIES COMPANY - IL0155200	1	INADEQUATE PRESSURE TANK	96	3/20/1981
CENTURY PINES APARTMENTS - IL0150020	1	INADEQUATE PRESSURE TANK	50	12/14/1990
COOKSVILLE - IL1130400	4	TTHM & HALOACIDIC ACIDS	300	9/15/2005
COYNE CNTR COOP - IL1615150	1	INADEQUATE PRESSURE TANK	150	12/15/1997
CROPSEY COMMUNITY WATER - IL1135150	4	INADEQUATE PRESSURE TANK	31	3/20/1981
CRYSTAL CLEAR WATER COMPANY - IL1115150	2	INADEQUATE GROUND STORAGE AND PRESSURE TANK	885	9/16/1988
D L WELL OWNERS ASSOCIATION - IL0975380	2	INADEQUATE PRESSURE TANK	141	3/18/1983
DE KALB UNIV DVL CORP - IL0375148	1	INADEQUATE PRESSURE TANK	1050	12/16/1992
*DELAND – IL1470200	4	EXCEEDING THE MAXIMUM CONTAMINANT LEVEL (MCL) FOR ARSENIC	475	3/16/2012
EAST END WATER ASSOCIATION - IL1610140	1	INADEQUATE STORAGE	40	3/15/2002

<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTIN G DATE</i>
		CAPACITY		
EAST MORELAND WATER CORPORATION - IL1975640	2	INADEQUATE PRESSURE TANK	135	3/15/1996
EDELSTEIN WATER COOPERATIVE – IL1435150	5	EXCEEDING THE MCL's FOR COMBINED RADIUM & GROSS ALPHA PARTICLE ACTIVITY	125	10/1/2010
EVERGREEN VILLAGE SUBDIVISION - IL1615310	1	INADEQUATE PRESSURE TANK	130	3/20/1981
FAIR ACRES SUBDIVISION - IL1975680	2	INADEQUATE PRESSURE TANK	156	10/19/1981
FOREST LAKE ADDITION –LAKE CO PW IL0975500	2	INADEQUATE PRESSURE TANK	204	12/16/1983
FRWRD-SKYLINE PLANT - IL0895030	2	INADEQUATE PRESSURE TANK	700	9/19/1986
GREAT OAKS AND BEACON HILLS APARTMENTS - IL2015488	1	INADEQUATE PRESSURE TANK	2420	12/17/1982
HEATHERFIELD SUBDIVISION - IL0635150	2	INADEQUATE PRESSURE TANK	75	9/17/1982
HETTICK - IL1170500	5	TRICHALOMETHANE	182	6/15/2002
HIGHLAND SUBDIVISION - IL0895530	2	INADEQUATE PRESSURE TANK	60	9/16/1983
HILLVIEW SUBDIVISION - IL1975800	2	INADEQUATE PRESSURE TANK	100	3/15/1985
HOLY FAMILY VILLA - IL0310280	2	INADEQUATE PRESSURE TANK	200	9/15/1999
INGALLS PARK SUBDIVISION - IL1975880	2	INADEQUATE PRESSURE TANK	745	9/16/1983
LAKE LYNWOOD WATER SYSTEM - IL0735330	1	INADEQUATE PRESSURE TANK	75	8/31/1981
LARCHMONT SUBDIVISION - IL2015290	1	INADEQUATE PRESSURE TANK	64	6/17/1983
LARSON COURT APARTMENTS - IL1615728	1	INADEQUATE PRESSURE TANK	58	1/14/1982
LEGEND LAKES WATER ASSOCIATION - IL2015300	1	INADEQUATE PRESSURE TANK	283	3/14/1991
LIBERTY PARK HOMEOWNERS ASSOCIATION - IL0435600	2	INADEQUATE GROUND STORAGE CAPACITY	837	9/17/1992
LINDENWOOD WATER ASSOCIATION - IL1415300	1	INADEQUATE PRESSURE TANK	50	1/13/1982
LISBON NORTH, INC. - IL0631000	2	INADEQUATE PRESSURE TANK	30	9/14/1990
LONDON MILLS - IL0574620	5	INADEQUATE PRESSURE TANK	447	12/14/1984
LYNN WATER ASSOCIATION INC - IL0735100	1	INADEQUATE PRESSURE	100	3/15/1995

<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTIN G DATE</i>
		TANK		
LYNNWOOD WATER CORPORATION - IL0995336	1	INADEQUATE PRESSURE TANK	110	3/18/1983
M C L W SYSTEM, INC. - IL1315150	1	INADEQUATE SOURCE	98	3/20/1981
MOUND PWD - IL1635050	6	INADEQUATE PLANT CAPACITY	2200	6/17/1996
NORTH HENDERSON - IL1310300	1	INADEQUATE HYDROPNEUMATIC STORAGE	184	7/1/2011
NORTHWEST BELMONT IMPRV ASSN - IL0435900	2	INADEQUATE PRESSURE TANK	78	9/29/1981
OAK RIDGE SD - IL2035300	1	INADEQUATE PRESSURE TANK	240	3/20/1981
OSCO MUTUAL WATER SUPPLY COMPANY, INC. - IL0735200	1	INADEQUATE PRESSURE TANK	115	12/15/1989
PANAMA - IL0054720	6	TTHM, DBP, INAD STORAGE	380	1/1/2006
POLO DR AND SADDLE RD SUBDIVISION - IL0437000	2	INADEQUATE PRESSURE TANK	90	12/17/1982
PORTS SULLIVAN LAKE OWNERS ASSOCIATION - IL0971160	2	INADEQUATE PRESSURE TANK	293	6/15/1999
PRAIRIE RIDGE ASSOCIATION - IL1115730	2	INADEQUATE PRESSURE TANK	130	10/1/2004
PRAIRIE ROAD PUMP ASSOCIATION- IL2015100	1	INADEQUATE STORAGE	150	1/1/2006
RIDGECREST NORTH SUBDIVISION - IL0635250	2	INADEQUATE PRESSURE TANK	60	9/16/1993
SHAWNITA TRC WATER ASSOCIATION - IL1977690	2	INADEQUATE PRESSURE TANK	125	9/17/1992
SILVIS HEIGHTS WATER CORP - IL1615750	1	INADEQUATE HYDRO STORAGE	1600	12/1/2003
SKYVIEW SBDV - IL0915526	2	INADEQUATE PRESSURE TANK	45	3/16/1990
STRATFORD WEST APARTMENTS - IL1095200	5	INADEQUATE PRESSURE TANK	39	12/17/1982
SUBURBAN HEIGHTS SUBDIVISION - IL1615800	1	INADEQUATE PRESSURE TANK	82	12/16/1983
SUNNY HILL ESTATES SUBDIVISION - IL0735300	1	INADEQUATE PRESSURE TANK	525	6/15/2000
SUNNYLAND SUBDIVISION - IL1977730	2	INADEQUATE PRESSURE TANK	350	9/16/1983
SWEDONA WATER ASSOCIATION - IL1315200	1	INADEQUATE PRESSURE TANK	157	6/15/1990
SYLVAN LAKE 1ST SUBDIVISION - IL0977100	2	INADEQUATE PRESSURE TANK	210	6/14/1991

<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTIN G DATE</i>
TOWNERS SUBDIVISION - IL0977250	2	INADEQUATE PRESSURE TANK	210	1/14/1982
UTILITIES INC HOLIDAY HILLS - IL1115350	2	INADEQUATE PRESSURE TANK	729	9/16/1983
UTL INC-LAKE HOLIDAY - IL0995200	1	INAD SOURCE & TREATMENT PLT	5460	9/15/1998
UTL INC-NORTHERN HILLS UTILITIES COMPANY - IL1775050	1	INADEQUATE PRESSURE TANK	500	3/15/1996
UTL INC-WALK-UP WOODS WATER COMPANY - IL1115800	2	INADEQUATE PRESSURE TANK	654	12/17/1982
WIENEN ESTATES - IL0850030	1	INADEQUATE PRESSURE TANK	70	12/15/1997
WONDER LAKE WATER COMPANY - IL1115750	2	INADEQUATE PRESSURE TANK	1442	6/16/1994

WATER SYSTEMS REMOVED FROM PREVIOUS LIST

* DENOTES ADDED WATER SUPPLIES

DELAND – IL1470200

CHANGE TO NATURE OF PROBLEM

LIBERTY PARK HOMEOWNERS ASSOCIATION –

IL0435600

CRYSTAL CLEAR WATER COMPANY – IL1115150

Illinois Environmental Protection Agency
Division of Public Water Supplies
Critical Review List - Public Water Supplies

APRIL 2012

<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTING DATE</i>
ANDALUSIA - IL1610050	1	INADEQUATE PRESSURE TANK	1050	12/1/2003
ANNA-JONESBORO WATER COMMISSION – IL1815050	7	LACKS EXISTING TREATMENT CAPACITY	36	7/1/2011
ANNA WATER COMMISSION – IL1810050	7	**	5750	7/1/2011
BEASON CHESTNUT PWD - IL1075150	5	INAD PLANT & SOURCE CAP	600	6/15/2004
CANTON – IL0570250	5	INSUFFICIENT TREATMENT CAPACITY	13932	3/15/2007
CEDARVILLE - IL1770050	1	EMERGENCY POWER	800	1/1/2006
COLLINSVILLE – IL1194280	6	INADEQUATE STORAGE	29500	1/1/2008
COLUMBIA - IL1330050	6	INADEQUATE PUMPING CAPACITY	8365	3/15/1998
EDWARDSVILLE – IL1190250	5	INSUFFICIENT PLANT CAPACITY TO HANDLE PEAK SYSTEM WATER DEMAND	24,900	9/16/2008
EFFINGHAM – IL0490250	4	INADEQUATE DISINFECTION	12384	7/1/2006
ELIZABETH - IL0850150	1	LOW SYSTEM PRESSURE	682	6/15/1999
EXETER-MERRITT WATER COOP - IL1710010	5	INADEQUATE PRESSURE TANK	428	10/1/2004
GALENA - IL0850200	1	LOW SYSTEM PRESSURE	3640	6/15/1999
GRIGGSVILLE – IL1490300	5	INADEQUATE TREATMENT PLANT CAPACITY	1259	10/1/2006
HAMEL - IL1190450	6	INADEQUATE STORAGE CAPACITY	650	1/1/2006
HOLIDAY SHORES SD - IL1195110	6	INADEQUATE STORAGE CAPACITY	3192	1/1/2006
IL AMERICAN-ALTON	6	APPROACHING WATER TREATMENT PLANT CAPACITY	51922	4/1/2009
IL AMERICAN-E ST. LOUIS - IL1635040	6	APPROACHING INADEQUATE STORAGE CAPACITY	155382	1/01/2011
JONESBORO PWS – IL1810250	7	**	1853	7/1/2011
JOY - IL1310100	1	LOW SYSTEM PRESSURE	373	6/15/1999

<i>SYSTEM NAME</i>	<i>EPA RGN</i>	<i>NATURE OF PROBLEM</i>	<i>POP SERVED</i>	<i>LISTIN G DATE</i>
LA SALLE - IL0990300	1	INAD PLANT & SOURCE CAPACITY	9700	11/1/2004
LACON - IL1230100	1	UNDERSIZED WATERMAINS	1979	1/1/2006
LICK CREEK PWD – IL1815100	7	**	1929	7/1/2011
MALDEN - IL0110550	1	UNDERSIZED WATERMAINS	370	1/1/2006
MARION - IL1990550	7	INADEQUATE SOURCE CAPACITY	14610	11/1/2001
MASON CITY - IL1250350	5	INADEQUATE STORAGE CAPACITY	2558	1/1/2006
MATHERSVILLE - IL1310200	1	INADEQUATE SYSTEM PRESSURE	793	9/13/2000
MC HENRY SHORES WATER COMPANY - IL1115020	2	LOW SYSTEM PRESSURE	1813	9/17/1992
O'FALLON – IL1631100	2	INADEQUATE STORAGE CAPACITY	43596	10/1/2006
SCALES MOUND - IL0850400	1	LOW SYSTEM PRESSURE	400	9/15/1997
SENECA - IL0991050	1	INADEQUATE PLANT CAPACITY AND UNDERSIZED WATER MAINS	2053	6/15/1999
SHAWNEE VALLEY PWD – IL1815550	7	**	952	7/1/2011
STOCKTON - IL0850450	1	LOW SYSTEM PRESSURE	1871	6/15/1984
SUMNER - IL1010300	7	LOW SYSTEM PRESSURE	1481	12/13/1985
UTL INC-LAKE MARIAN WATER CORPORATION - IL0895200	2	INAD PRES STORAGE & LOW SYS PRES	924	9/14/1984
WALNUT HILL - IL1210600	6	LOW SYSTEM PRESSURE	1470	6/14/1985
WATERLOO - IL1330300	6	INADEQUATE STORAGE	7614	10/1/2004
WITT – IL1350850	5	INADEQUATE TREATMENT CAPACITY	991	3/17/2008
WORDEN - IL1191200	6	INADEQUATE STORAGE CAPACITY	906	1/1/2006

WATER SYSTEMS REMOVED FROM PREVIOUS LIST

ELLIS GROVE – IL1570200

MARYVILLE – IL1190750

*** DENOTES ADDED WATER SUPPLIES**

**** THESE PUBLIC WATER SUPPLIES OBTAIN WATER FROM ANNA-JONESBORO WATER COMMISSION (IL1815050) WHICH LACKS EXISTING TREATMENT CAPACITY.**

Restricted Status/Critical Review

The Environmental Protection Act prohibits the Agency from issuing a construction permit that will cause or extend a violation. A construction permit to expand the distribution system cannot be granted when a water supply has a maximum contaminant level or treatment technique violation, an inadequate source of raw water supply, inadequate treatment plant capacity, finished water storage or distribution system pressure. A Restricted Status List is published quarterly in the Illinois Pollution Control Board Environmental Register to notify those persons considering expansion of a water supply distribution system of that status before large sums of money have been spent on items such as land acquisition, financing and engineering fees. A companion Critical Review List is published concurrently with the Restricted Status List and has the water supplies that are approaching a point where the supply could be placed on Restricted Status. A permit application from a supply on Critical Review will be examined carefully to ensure that the proposed construction will not cause a violation. Restricted Status and Critical Review are presented as a combined list with the status of the water supply denoted as either RS (Restricted Status) or CR (Critical Review). The current list reflects the status as of April 1, 2012. An asterisk, *, beside the water supply indicates public water supplies that have been added to the Restricted Status/Critical Review list since the previous publication.

Restricted Status List

The Restricted Status List was developed to give additional notification to officials of public water supplies which are in violation of 35 Ill. Adm. Code, Subtitle F: Public Water Supplies, Chapter I or the Illinois Environmental Protection Act.

The Restricted Status List will include all Public Water Supplies for which the Agency has information indicating a violation of any of the following requirements: Finished water quality requirements of 35 Ill. Adm. Code, Part 604, Subparts B and C; maintenance of adequate pressure on all parts of the distribution system under all conditions of demand; meeting raw water quantity requirements of 35 Ill. Adm. Code 604.502; or maintenance of treatment facilities capable of providing water "assuredly adequate in quantity" as required by Section 18 of the Illinois Environmental Protection Act.

A public water supply on the Restricted Status List will not be issued permits for water main extensions, except for certain limited situations, or unless the supply has been granted a variance from the Illinois Pollution Control Board for the violation, or from permit issuance requirements of Section 39 of the Act.

This list is continually being revised as new information becomes available, and therefore, specific inquiries as to the status of any public water supply should be directed to the Division of Public Water Supplies for final determination.

Critical Review List

The Critical Review List was developed to give additional notification to officials of public water supplies which may be close to being in violation of 35 Ill. Adm. Code, Subtitle F: Public Water Supplies, Chapter I or the Illinois Environmental Protection Act.

A supply will be placed on the Critical Review List when Agency records indicate that it is approaching any of the violations that would place it on the Restricted Status List.

This list is continually being revised as new information becomes available, and therefore, specific inquiries as to the status of any public water supply should be directed to the Division of Public Water Supplies for final determination.

The Illinois Pollution Control Board is an independent five-member board that adopts environmental control standards, rules on enforcement actions, and other environmental disputes for the State of Illinois.

The *Environmental Register* is published monthly by the Board, and contains updates on rulemakings, descriptions of final decisions, the Board's hearing calendar, and other environmental law information.

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